

Lau cracked teacher's skull, then slit her throat: D.A.

Steve Lieberman

NEW CITY — **Eric Lau** fractured his next door neighbor's skull and slit her throat inside the gym teacher's Valley Cottage condominium, a prosecutor told the judge during a bench conference Thursday.

Executive Assistant District Attorney Stephen Moore described 32-year-old Jami Erlich's slaying and other details of the murder case during a bench conference with Lau's defense attorney, two other prosecutors and state Supreme Court Justice William Kelly.

Some of the other details included police finding Erlich's property, including her underwear, in Lau's apartment.

Moore also told Kelly that the Rockland District Attorney's Office's pretrial offer to Lau is 25 years to life if he pleads guilty to second-degree murder.

Earlier during Thursday's arraignment, Lau pleaded not guilty to three murder counts and two counts of first-degree burglary contained in the indictment. The counts include intentional murder and killing someone during the commission of a burglary.

Kelly ordered Lau held in the county jail on \$2.5 million cash bail or \$5 million bond.

Lau, 32, did not speak, standing in court with his hands shackled and wearing an orange jail jumpsuit.

During the bench conference, Moore and Public Defender Claire McCue-Cincotta answered some of Kelly's questions and explained the case.

Moore told Kelly that Erlich suffered a skull fracture when beaten with a blunt object Nov. 29 inside her home at the Lake Road Condominiums. "After the beating, he slit her throat almost to the point of decapitation," Moore told Kelly.

"We did a search of his apartment," Moore said. "Items belonging to her, including her underwear, were found."

Moore also told Kelly that Lau denied killing Erlich.

"He says he slept over his girlfriend's house that night," Moore said.

When Kelly asked if Lau provided the girlfriend's name, Moore said he refused.

McCue-Cincotta briefed Kelly on Lau's mental health issues. They discussed his criminal record.

After the bench conference, McCue-Cincotta told the court that Lau will undergo a psychiatric examination but she didn't plan yet to raise the issue of whether Lau was competent to stand trial and aid in his defense.

The Journal News has reported that at age 16, Lau was placed through the state in David Hall, a 14-bed special residential treatment facility for teenage boys with psychiatric illnesses at Green Chimneys in Putnam County. Lau also attended the Birchwood School in Clarkstown. It deals with students with behavioral issues. At some point, Lau, then 18, was expelled from Clarkstown South High School for assaulting a 16-year-old student in November 1996. Lau, at age 19, was convicted of the attempted robbery of three Albertus Magnus students. He punched one of the victims in the face.

After the conference, McCue-Cincotta asked Kelly to seal the records from public scrutiny, including a recent 1½ page statement Lau gave to authorities. She argued that Lau's right to a fair trial and untainted jury pool were at stake.

Moore said that some of the information had not been publicized, but added the information would become public at pretrial hearings. Kelly agreed, but temporarily sealed the records until the hearing.

Lau, a computer specialist, was employed by a temporary agency and working at Pfizer in Pearl River. Moore said Thursday that Lau reportedly was an excellent employee.

During a discussion on bail, Supervising Assistant Prosecutor Dominic Crispino urged that Lau be held without bail. Crispino called Erlich's slaying "vicious" and "heinous." He said Lau disappeared for two days and ran from police before being caught. He called Lau a risk to not return to court and cited his criminal record.

"There's no monetary amount that will ensure he will return to court," Crispino said.

Kelly said the prosecutor had to make a bail amount recommendation, leading Crispino to say, "If there has to be an amount, \$100 million."

McCue-Cincotta asked Kelly to set bail at an appropriate amount. She said she didn't know what financial resources Lau's mother had to post bail. She owns Lau's condominium but lives in New City Gardens on Main Street, less than a mile from the courthouse and jail.

Erlich's friends told The Journal News that she called Lau her "creepy neighbor" and that he had persistently called her to ask her out on dates.

She moved into the complex in July, a few months before her divorce became final, and lived alone. He had lived there for more than a decade.

Erich, a popular gym teacher at Richard P. Connor Elementary School in Suffern, was talking to her boyfriend on her cell phone when she was attacked.

The boyfriend tried calling her back and when he got no answer he called 911. Clarkstown police originally said Erlich was killed between 9:15 and 9:45 pm.

Clarkstown Detective William Fritz put her death at 9:26 p.m., according to a criminal complaint he signed Dec. 1. Police said an officer arrived at her home at 9:43 p.m. that Sunday night, within five minutes of receiving the 911 call from her boyfriend.